



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/785,371	02/24/2004	Allen David Hertz	HER-04-01	8951
31877	7590	11/09/2005	EXAMINER	
ALLEN D. HERTZ 12784 TULIPWOOD CIRCLE BOCA RATON, FL 33428			TRINH, MINH N	
			ART UNIT	PAPER NUMBER
			3729	

DATE MAILED: 11/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/785,371

Applicant(s)

HERTZ ET AL.

Examiner

Minh Trinh

Art Unit

3729

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 30 August 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) 8-20 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-7 is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Election/Restrictions***

1. Newly submitted claims 8-20 directed to an invention that is independent or distinct from the invention originally claimed for the following reasons: That these claims directed to an invention other than the method as originally claimed. Because that claims 8-20 drawn to an apparatus versus the process as originally claimed, and in this case, it is clearly that the apparatus as claimed can be used to practice another and materially different process such as transferring or positioning of other electronic devices or assembly parts, etc., instead of the method invention of claims 1-5 (as originally filed). (MPEP § 806.05(e)). Further, applicant be aware that the Office in generally does not permit shift of invention and/or elected subject matter (see section 819 of the MPEP).

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 8-20 are withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

2. This application is in condition for allowance except for the following formal matters:

In the title:

The title should be changed to: --" Method for maintaining operatbility of a flexible self conforming Printed Circuit Board"--.

The abstract:

The abstract should have been revised to readable on the claimed method invention and should be limited within range of 50-100 words and in a single paragraph.

The Specification:

The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors

The claims:

a) Upper case "Printed Circuit Board" (claims 1-8) should be changed to: --printed circuit board--.

b) "a pliant material" (claim 2, line 2) should be changed to: -- a pliant material as molded rubber--.

c) "the method comprising additional step of:" (claims 6-7, line 2) should be changed to:--further comprising step of:--.

d) Non-elected apparatus claims 8-20 are required to be cancelled.

e) Applicant's cooperation is requested in correcting any additional errors of which applicant may become aware in the claims.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Art Unit: 3729

A shortened statutory period for reply to this action is set to expire TWO MONTHS from the mailing date of this letter.

***Conclusion***

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The prior art cited for their teaching of pins array for supporting PCB or the like.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minh Trinh whose telephone number is (571) 272-4569.

The examiner can normally be reached on Monday -Thursday 8:00 am to 4:30 pm.

mt

11/7/05

A handwritten signature in black ink, appearing to read 'Minh Trinh', with a long horizontal line extending to the right.

Minh Trinh

Primary Examiner